

By: White

H.B. No. 2904

A BILL TO BE ENTITLED

AN ACT

relating to the memorandum of understanding among certain agencies to coordinate services provided to persons needing multiagency services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 531.055(a), (b), and (e), Government Code, are amended to read as follows:

(a) Each health and human services agency, the Texas Education Agency, the Texas Correctional Office on Offenders with Medical or Mental Impairments, the Texas Department of Criminal Justice, the Texas Department of Housing and Community Affairs, the Texas Workforce Commission, and the Texas Juvenile Justice Department shall enter into a joint memorandum of understanding to promote a system of local-level interagency staffing groups to identify and coordinate services in the least restrictive setting appropriate for persons needing multiagency services. The division within the Health and Human Services Commission that coordinates the policy and delivery of mental health services shall oversee the development and implementation of the joint memorandum of understanding.

(b) The memorandum must:

(1) clarify the statutory responsibilities of each agency in relation to persons needing multiagency services, including subcategories for different services such as:

(A) ~~[prevention,~~ family preservation and strengthening;

(B) physical and behavioral health care;

(C) prevention and early intervention services, including services designed to prevent:

(i) child abuse;

(ii) neglect; or

(iii) delinquency, truancy, or school dropout;

(D) diversion from juvenile or criminal justice involvement;

(E) housing;

(F) ~~[~~ aging in place;

(G) ~~[~~ emergency shelter;

(H) ~~[diagnosis and evaluation,~~ residential care;

(I) ~~[~~ after-care;

(J) ~~[~~ information and referral;~~medical care,~~ and

(K) investigation services;

(2) include a functional definition of "persons needing multiagency services";

(3) outline membership, officers, and necessary standing committees of local-level interagency staffing groups;

(4) define procedures aimed at eliminating duplication of services relating to assessment and diagnosis, treatment, residential placement and care, and case management of

1 persons needing multiagency services;

2 (5) define procedures for addressing disputes between
3 the agencies that relate to the agencies' areas of service
4 responsibilities;

5 (6) provide that each local-level interagency
6 staffing group includes:

7 (A) a local representative of each agency;

8 (B) representatives of local private sector
9 agencies; and

10 (C) family members or caregivers of persons
11 needing multiagency services or other current or previous consumers
12 of multiagency services acting as general consumer advocates;

13 (7) provide that the local representative of each
14 agency has authority to contribute agency resources to solving
15 problems identified by the local-level interagency staffing group;

16 (8) provide that if a person's needs exceed the
17 resources of an agency, the agency may, with the consent of the
18 person's legal guardian, if applicable, submit a referral on behalf
19 of the person to the local-level interagency staffing group for
20 consideration;

21 (9) provide that a local-level interagency staffing
22 group may be called together by a representative of any member
23 agency;

24 (10) provide that an agency representative may be
25 excused from attending a meeting if the staffing group determines
26 that the age or needs of the person to be considered are clearly not
27 within the agency's service responsibilities, provided that each

1 agency representative is encouraged to attend all meetings to
2 contribute to the collective ability of the staffing group to solve
3 a person's need for multiagency services;

4 (11) define the relationship between state-level
5 interagency staffing groups and local-level interagency staffing
6 groups in a manner that defines, supports, and maintains local
7 autonomy;

8 (12) provide that records that are used or developed
9 by a local-level interagency staffing group or its members that
10 relate to a particular person are confidential and may not be
11 released to any other person or agency except as provided by this
12 section or by other law; and

13 (13) provide a procedure that permits the agencies to
14 share confidential information while preserving the confidential
15 nature of the information.

16 (e) The agencies shall ensure that a state-level
17 interagency staffing group provides:

18 (1) information and guidance to local interagency
19 staffing groups regarding:

20 (A) the availability of programs and resources in
21 the community; and

22 (B) best practices for addressing the needs of
23 individuals with complex needs in the least restrictive setting
24 appropriate; and

25 (2) a biennial report to the administrative head of
26 each agency, the legislature, and the governor that includes:

27 (A) [~~(1)~~] the number of persons served through

1 the local-level interagency staffing groups and the outcomes of the
2 services provided;

3 (B) [~~(2)~~] a description of any barriers
4 identified to the state's ability to provide effective services to
5 persons needing multiagency services; and

6 (C) [~~(3)~~] any other information relevant to
7 improving the delivery of services to persons needing multiagency
8 services.

9 SECTION 2. As soon as practicable after the effective date
10 of this Act, but not later than December 1, 2017, the Health and
11 Human Services Commission, the Department of Family and Protective
12 Services, the Department of State Health Services, the Texas
13 Education Agency, the Texas Correctional Office on Offenders with
14 Medical or Mental Impairments, the Texas Department of Criminal
15 Justice, the Texas Department of Housing and Community Affairs, the
16 Texas Workforce Commission, and the Texas Juvenile Justice
17 Department shall update the joint memorandum of understanding
18 required under Section 531.055, Government Code, as amended by this
19 Act.

20 SECTION 3. This Act takes effect September 1, 2017.